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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TAELE MYLOTT,

Defendant.

2:19-cr-00326-APG-NJK

Stipulation to Continue Sentencing (first request)

It is stipulated and agreed, by and between Nicholas A. Trutanich, United States Attorney; Kevin D. Schiff, Assistant United States Attorney, counsel for the United States of America and Benjamin Durham, Esq., counsel for defendant Mylott;

That the sentencing scheduled in this matter for April 29, 2020, be vacated and continued for a period of not less than 90 days. This stipulation is entered into for the following reasons:

1. The parties agrees to the continuance;
2. Defendant is currently at liberty and does not object to the continuance;
3. The United States is currently in the grips of the COVID-19 pandemic with most private and public institutions being shuttered at the direction of federal, state, and

1 local government to abate spread of the disease. On March 30, 2020 District of Nevada
2 Chief Judge Du issued Temporary General Order 2020-05 finding that in-person hearings
3 could seriously jeopardize public health and safety. This Order, and the “Coronavirus Aid,
4 Relief, and Economic Security Act” (“CARES Act”), passed by Congress on March 27,
5 2020, do allow for changes of plea or sentencings to be conducted via video conference; but
6 *only* in cases where it can be specifically found the hearing cannot be further delayed
7 without serious harm to the interests of justice. See CARES Act, H.R. 748, Public Law No.
8 116-136.

9 4. The parties agree there are no case-specific-facts as to this matter where
10 further delay would cause serious harm to the interests of justice. Given this, and the
11 current circumstances relating to the pandemic, a continuance of the sentencing is
12 appropriate.

13 5. This is the first request for continuance.

14 DATED this 6th day of April, 2020.

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16 NICHOLAS A. TRUTANICH
 United States Attorney

17 /s/ Kevin Schiff
18 Kevin D. Schiff
 Assistant United States Attorney

19 /s/ Benjamin Durham
20 Benjamin C. Durham, Esq.
 Counsel for Defendant

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

2:19-cr-00326-APG-NJK

4 Plaintiff,

Order per Stipulation of the Parties

5 vs.

6 TAELE MYLOTT,

7 Defendant.

8
9 **I. Findings of Fact**

10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
11 Court finds:

12 1. The parties agrees to the continuance;

13 2. Defendant is at liberty and does not object to the continuance;

14 3. Pursuant to Temporary General Order 2020-05, issued by the Chief Judge of
15 the District of Nevada, all in-person sentencings constitute a serious threat to public health;

16 4. The parties agree there are no case specific facts where a delay in sentencing
17 would seriously harm the interests of justice;

18 5. The Court finds no specific reasons to conduct the sentencing hearing via video
19 conference, and finds continuance is appropriate;

20 4. This is the first request for continuance.

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